

**A short account of the establishent of the new see of
Baltimore in Maryland, ... to which are added extracts
from the different bills of right and constitution of the
United States**

A SHORT ACCOUNT OF THE ESTABLISHMENT OF THE New See of Baltimore in
Maryland.

PRICE SIX PENCE.

A SHORT ACCOUNT OF THE ESTABLISHMENT OF THE New See of Baltimore in
Maryland, AND OF CONSECRATING THE Right Rev. Dr. JOHN CARROLL first BISHOP
thereof On the Feast of the Assumption, 1790.

WITH A DISCOURSE DELIVERED ON THAT OCCASION, AND THE AUTHORITY FOR
CONSECRATING THE BISHOP, AND ERECTING AND ADMINISTERING THE SAID
SEE.

TO WHICH ARE ADDED EXTRACTS from the different BILLS of RIGHT and
CONSTITUTION of the UNITED STATES,—That Liberty of Conscience is the Birth-right of
every Man, and an Exclusion of any religious Test for ever.

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A SHORT ACCOUNT OF THE ESTABLISHMENT OF THE NEW SEE OF BALTIMORE.

THE Roman Catholic religion was introduced into Maryland, together with the first settlers in the reign of Charles I. who granted that province to the Lord Baltimore a catholic nobleman, as a refuge for persons of his religion from the severity of the penal laws, which that unfortunate monarch wanted either the power or the fortitude to restrain. A number of catholic gentlemen and others emigrated from England and Ireland with the hope of enjoying that repose in the new settlement, which was denied them in their native country. The unrelenting spirit of persecution B secution 2 pursued them over the Atlantic. It deprived them of the just fruits of their labours, it debarred them from every post of trust and profit in the colony which they had settled, it compelled them to maintain Protestant ministers, and finally it enforced against them many of the British penal laws, from the cruelty of which they had fled. R. F. Andrew White an English Jesuit of eminent piety and zeal accompanied the first colonists in 1632, and from that date till the late revolution the American catholics in Maryland and Virginia were constantly served by Jesuit missionaries successively sent from England. About the year 1720 the R. F. Grayton and others introduced catholicity into Pensylvania, and it has since received a remarkable increase in that province. Since the peace of 1783 and the settlement of the American constitution, penal laws are no longer known, and Catholics enjoy an equal participation of the rights of human nature with their neighbours of every other religious denomination. The very term of *toleration* is exploded, because it imports a power in one predominant sect to indulge that religious liberty to others, which all claim as an inherent right. Catholic clergymen of various orders and nations tions 3 have resorted to America, and they every where find an ample vineyard to cultivate. In this state of religious freedom the clergymen judged it expedient to give stability and dignity to the catholic religion by the establishment of a regular hierarchy, and they therefore petitioned from the Pope the creation of an episcopal See and the appointment of a diocesan Bishop. The Pope applauding their zeal graciously

admitted their request, and allowed them to elect their first Bishop. The Rev. Dr. John Carroll who had been for some years the superior of the mission was the object of their choice, and this Gentleman was accordingly appointed first Bishop of Baltimore. Upon the receipt of his Bulls from Rome he immediately repaired to England where his person and merit were well known, and presented himself for consecration to the Right Rev. Dr. Charles Walmesley Bishop of Rama, senior Vicar Apostolical of the catholic religion in this kingdom. By invitation of Thomas Weld Esq. the consecration of the new Bishop was performed during a solemn high Mass in the elegant chapel at Lulworth Castle, on Sunday the 15th day of 4 of August 1790, being the feast of the Assumption of the Blessed Virgin Mary, and the munificence of that gentleman omitted no circumstance which could possibly add dignity to so venerable a ceremony. The two Prelates were attended by their respective assistant priests and acolytes according to the rubric of the Roman Pontifical; the richness of their vestments, the music of the choir, the multitude of wax lights and the ornaments of the altar concurred to increase the splendor of the solemnity, which made a lasting impression upon every beholder. When the whole company was seated, the following short address was delivered to the congregation by one of the assistant Priests.

A SHORT

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A SHORT ADRESS, DELIVERED AUGUST 15, 1790. IN THE CHAPEL OF LULWORTH CASTLE, AT THE CONSECRATION OF THE RIGHT REVEREND Dr. JOHN CARROLL, APPOINTED FIRST BISHOP OF THE NEW ERECTED SEE OF BALTIMORE IN NORTH AMERICA.

OUR blessed Lord and Redeemer having defeated the powers of hell by the triumph of the cross, formed to himself a kingdom on earth which was to consist of the chosen of every nation, because all nations were now become his own by right of conquest. The Sun of justice which role from the East, has in its progress enlightened every region of the globe, and the kingdom of Christ, the church, under the government of his Vicar and of pastors 6 pastors deputed by him, has successively embraced the whole world. Ages

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succeed ages, empires subvert empires, but the empire of Jesus Christ perseveres ever one and the same, ever persecuted and ever conquering, because all human revolutions are entirely subservient to it, and the formation of the kingdom of Christ is the ultimate object of the whole dispensation of providence in the government of this world. Never perhaps was this truth more sensibly evinced, than in the late violent convulsions, by which the hand of the Almighty has dismembered the great British empire, and has called forth into existence a new empire in the Western world, the destinies of which, we trust, are founded in his tenderest mercies. For although this great event may appear to us to have been the work, the sport of human passions, yet the earliest and most precious fruit of it has been the extension of the kingdom of Christ, the propagation of catholic religion, which heretofore fettered by restraining laws, is now enlarged from bondage and is left at liberty to exert the full energy of divine truth. Already is catholicity extended to the utmost boundaries of the immense continent of America, thousands are there earnestly demanding catholic instructors, and 7 and all penetrated with reverence for the apostolical See of St. Peter have concurred to demand, from his successor a catholic prelate, whose knowledge and whose zeal may establish the faith of Peter upon the ruins of those errors, which the first inhabitants carried forth with them from this country. But if Britain infected them with error, we have the consolation to know that their catholicity is also derived immediately from us; and as we in former ages received the faith of Rome from the great St. Gregory and our apostle St. Austin, so now at the interval of twelve hundred years, our venerable prelate the heir of the virtues and labours of our apostle, will, this day, by commission from the successor of St. Gregory, consecrate the first Father and Bishop of the new church, destined, as we confide, to inherit those benedictions which the first called have ungratefully rejected. Glorious is this day, my brethren, for the church of God which sees new nations crowding into her bosom; glorious for the prelate elect, who goes forth to conquer these nations for Jesus Christ, not by the efforts of human power, but in the might of those weapons which have ever triumphed in this divine warfare; he is not armed with the strength of this world, but he is 8 is powerful in piety, powerful in zeal, powerful in evangelical poverty and firm reliance on the protection of that God who fends

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him. Glorious is this event, for his numerous spiritual children, to whom his virtues have long endeared him, comforting it is to us who have been long connected with him by the virtuous ties of education profession and friendship; but in a special manner, my brethren, honourable and comforting is this awful solemnity to his and our common benefactor, the founder of this holy sanctuary, which shall be revered through succeeding ages, even by churches yet un-named, as the privileged, the happy spot, from whence their episcopacy and hierarchy took their immediate rife; and this precious distinction will be justly attributed to the protection and favour of the glorious mother of God, whose house it is* , and through whole patronage all christian churches are founded. On this her greatest solemnity, my brethren, it is your duty to implore the particular assistance of the great Queen of heaven; and while you are edified by the solemn rites with which the Catholic Church consecrates her prelates, you will earnestly follicit the descent

* It is dedicated to the B. V. Mary.

9 descent of the Holy Ghost on the Bishop elect, that like another Austin he may worthily fulfil the extent of the apostleship to which he is called, and when you implore for him the sevenfold grace of the Holy Spirit, you will not fail to demand it through the intercession of her whom you daily salute, "Mother of divine grace."

In full confidence of her protection and blessing upon our ministry, we proceed to the solemnity of the Consecration. C THE

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**THE AUTHORITY OF HIS HOLINESS POPE PIUS VI. FOR CONSTITUTING THE Dew
See of Baltimore in Maryland. TRANSLATED FROM THE ORIGINAL.**

FOR THE REMEMBRANCE OF POSTERITY.

WHEN from the eminence of our apostolical station, we bend our attention to the different regions of the earth, in order to fulfil to the utmost extent of our power the duty which our Lord has imposed upon our unworthiness of ruling and feeding his flock; our care

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and solicitude are particularly engaged, that the Faithful of Christ who dispersed through various provinces are United with us by Catholic communion, may be governed by their proper pastors and diligently instructed by them in the discipline of evangelical life and doctrine. For it is our principle, that they who relying on the divine assistance have regulated their lives and manners, agreeably to the 11 the precepts of Christian wisdom, ought so to command their own passions as to promote by the pursuit of justice their own and their neighbor's spiritual advantage; and that they, who have received from their Bishops, and by checking the intemperance of self-wisdom, have steadily adhered to the heavenly doctrine delivered by Christ to the Catholic Church, should not be carried away by every wind of doctrine, but grounded on the authority of divine revelation should reject the new and varying doctrines of men, which endanger the tranquility of government, and rest in the unchangeable faith of the Catholic Church. For in the present degeneracy of corrupt manners into which human nature ever resisting the sweet yoke of Christ is hurried, and in the pride of talents and knowledge which disdains to submit the opinions and dreams of men to the evangelical truth delivered by Jesus Christ, support must be given by that heavenly authority which is entrusted to the Catholic Church as to a steady pillar and solid foundation which shall never fail, that from her voice and instructions mankind may learn the objects of their faith and the rules of their conduct, not only for the obtaining of eternal salvation, but also for the regulation of this life and the C 2 main 12 maintaining of concord in the society of this earthly city. Now this charge of teaching and ruling first given to the apostles and especially to St. Peter the prince of the apostles, on whom alone the church is built, and to whom our Lord and Redeemer entrusted the feeding of his lambs and of his sheep, has been derived in due order of succession to Bishops, and especially to the Roman Pontiffs, successors of St. Peter and heirs of his power and dignity, that thereby it might be made evident that the gates of hell can never prevail against the church, and that the divine founder of it will ever assist it to the consummation of ages, so that neither in the depravity of morals nor in the fluctuation of novel opinions the episcopal succession shall ever fail or the bark of Peter be funk. Wherefore it having reached our ears that in the flourishing commonwealth of the Thirteen

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American States many faithful Christians united in communion with the chair of Peter, in which the centre of Catholic unity is fixed, and governed in their spiritual concerns by their own priests having care of souls, earnestly desire that a Bishop may be appointed over them to exercise the functions of episcopal order, to feed them more largely with the food of salutary doctrine, 13 doctrine, and to guard more carefully that portion of the catholic flock; We willingly embraced this opportunity which the grace of Almighty God has afforded us to provide those distant regions with the comfort and ministry of a Catholic Bishop. And that this be effected more successfully and according to the rules of the sacred canons, We commissioned our Venerable brethren the Cardinals of the holy Roman church, directors of the Congregation *de propaganda fide*, to manage this business with the greatest care, and to make a report to us. It was therefore appointed by their decree, approved by us, and published the twelfth day of July of the last year, that the priests who lawfully exercise the sacred ministry and have care of souls in the united States of America, should be empowered to advise together and to determine, first, in what town the episcopal See ought to be erected, and next who of the aforesaid priests appeared the most worthy and proper to be promoted to this important charge, whom We, for this first time only, and by special grace permitted the said priests to elect and to present to this apostolical See. In obedience to this decree the aforesaid priest exercising the cure of souls in the United States of America, unanimously 14 unanimously agreed, that a Bishop with ordinary jurisdiction ought to be established in the town of Baltimore, because this town situate in Maryland which province the greater part of the priests and of the faithful inhabit, appeared the most conveniently placed for intercourse with the other States, and because from this province Catholic religion and faith had been propagated into the others. And at the time appointed for the election, they being assembled together, the sacrifice of holy Mass being celebrated, and the grace and assistance of the Holy Ghost being implored, the votes of all present were taken, and of twenty six priests who were assembled twenty four gave their votes for our beloved son John Carroll, whom they judged the most proper to support the burden of episcopacy, and sent an authentic instrument of the whole transaction to the aforesaid Congregation of Cardinals. Now

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all things being maturely weighed and considered in this Congregation, it was easily agreed that the interests and increase of Catholic religion would be greatly promoted, if an episcopal See were erected at Baltimore, and the said John Carroll were appointed the Bishop of it. We therefore, to whom this opinion has been reported by our beloved 15 beloved son Cardinal Antonelli Prefect of the said Congregation, having nothing more at heart than to ensure success to whatever tends to the propagation of true religion and to the honour and increase of the Catholic Church; by the plenitude of our apostolical power, and by the tenour of these present, do establish and erect the aforesaid town of Baltimore into an episcopal See for ever, for one Bishop to be chosen by us in all future vacancies; and We therefore, by the apostolical authority aforesaid, do allow, grant and permit to the Bishop of the said city, and to his successors in all future times, to exercise episcopal power and jurisdiction, and to hold and enjoy all and every right and privilege of order and jurisdiction, and of every other episcopal function, and which Bishops constituted in other places are empowered to hold and enjoy in their respective churches, cities and dioceses, by right, custom or by other means, by general privileges, graces, indults and apostolical dispensations, together with all pre-eminencies, honours, immunities, graces and favours, which other Cathedral Churches, by right or custom, or in any other fort, have, hold and enjoy. We moreover decree and declare the said episcopal See thus erected, to be subject or 16 or suffragan to no Metropolitan right or jurisdiction, but to be for ever subject immediately to us, and to our successors the Roman pontiffs, and to this apostolical See. And till another opportunity shall be presented to us of establishing other Catholic Bishops in the United States of America, and till other dispositions shall be made by this apostolical See, We declare, by our apostolical authority, all the Faithful of Christ living in Catholic communion, as well ecclesiastics as seculars, and all the clergy and people dwelling in the aforesaid United States of America, though hitherto they may have been subject to other Bishops of other dioceses, to be henceforward subject to the Bishop of Baltimore in all future times; and to this Bishop and to his successors we impart power to curb and check, without appeal, all persons who may contradict or oppose their orders, to visit personally or by deputies all Catholic Churches, to remove abuses, to correct the

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manners of the faithful, and to perform all things which other Bishops in their respective dioceses are accustomed to do and perform, saving in all things our own authority and that of this apostolical See. And, whereas by special grant, and for this first 17 first time only, we have allowed the priests exercising the cure of souls in the United States of America, to elect a person to be appointed Bishop by us, and almost all their votes have been given to our beloved son John Carroll Priest; We being otherwise certified of his faith, prudence, piety and zeal, forasmuch as by our mandate he hath during the late years directed the spiritual government of souls, do therefore, by the plenitude of our authority, declare, create, appoint and constitute the said John Carrol Bishop and Pastor of the said church of Baltimore, granting to him the faculty of receiving the rite of consecration from any Catholic Bishop holding communion with the apostolical See, assisted by two Ecclesiastics vested with some dignity, in case that two Bishops cannot be had, first having taken the usual oath according to the Roman Pontifical. And we commission the said Bishop elect to erect a church in the said city of Baltimore, in form of a Cathedral Church, inasmuch as the times and circumstances may allow, to institute a body of clergy deputed to divine worship and to the service of the said church, and moreover to establish an episcopal seminary either in the same city or 18 or elsewhere as he shall judge most expedient, to administer ecclesiastical incomes, and to execute all other things which he shall think in the Lord to be expedient for the increase of Catholic faith and the augmentation of the worship and splendour of the new-erected church. We moreover enjoin the said Bishop to obey the injunctions of our Venerable brethren the Cardinals Directors of the sacred Congregation *de propaganda fide*, to transmit to them at proper times a relation of his visitation of his church, and to inform them of all things which he shall judge to be useful to the spiritual good and salvation of the flock trusted to his charge. We therefore decree that these our letters are and ever shall be firm, valid and efficacious, and shall obtain their full and entire effect, and be observed inviolable by all persons whom it now doth or hereafter may concern; and that all Judges ordinary and delegated, even auditors of causes of the sacred apostolical palace, and Cardinals of the holy Roman church must thus judge and define, depriving all and each of them of all power and authority to judge or interpret in any

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other manner, and declaring all to be null and void, if any one, 19 one, by any authority, should presume, either knowingly or unknowingly, to attempt any thing contrary thereunto. Notwithstanding all apostolical, general or special constitutions and ordinations, published in universal, provincial and synodical councils, and all things contrary whatsoever.

Given at Rome at St. Mary Major, under the Fisherman's Ring (Seal) the 6th day of November 1789, and in the 15th Year of our Pontificate.

DUPLICATE.

L. S.

R. Card. Braschi Onesti. D 2 EXTRACTS

EXTRACTS FROM THE DIFFERENT Bills of Right and Constitutions OF THE THIRTEEN UNITED STATES OF NORTH AMERICA; DECLARING LIBERTY OF CONSCIENCE AS THE BIRTH-RIGHT OF ALL MEN. WITH COPIES OF THEIR Oaths of Allegiance and of Trust.

New Hampshire Bill of Rights,—Part I. Article 5. Dated at Concord, Oct. 31, 1783.

EVERY Individual has a natural and unalienable right to worship God according to the dictates of his own conscience and reason; and no subject shall be hurt, molested, or restrained in his person, liberty, or estate, for worshipping God, in the manner and season most agreeable to the dictates of his own conscience, 21 or for his religious profession, sentiments or persuasion; provided he does not disturb the public peace, or disturb others in their religious worship.

Massachusetts Constitution, Part I. Article 2. Dated at Cambridge, March 2, 1780.

It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the Supreme Being, the great Creator and Preserver of the Universe. And

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no subject shall be hurt, molested, or restrained in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

Rhode Island Charter ;—14th Charles II.

That no person within the said colony, at any time hereafter, shall be any-wise molested, punished, disquieted, or called in question, for any differences in opinion in matters of religion, who do not actually disturb the civil peace of our said colony; but that all and every person and persons may, *from time to time*, and at all times hereafter, freely and fully have and enjoy his and their own judgments and consciences, in matters of religious concerns, throughout the tract of land hereafter mentioned, they behaving themselves peaceably and quietly, and not using this liberty to licentiousness and profaneness, nor to the civil injury or outwardward disturbance of others, any law, statute or clause therein contained, or to be contained, usage, or custom of this realm, to the contrary hereof, in any wise notwithstanding.

After the Charter is expressly added by the State:

All men professing one Supreme Being, are equally protected by the laws, and no particular sect can claim pre-eminence From hence it is, that benevolence, hospitality, and undissembled honesty remarkably characterise the people.

Connecticut signed the General Convention, esteeming any particular Declaration unnecessary.

New York Constitution,—April 20, 1777.— Articles 38. and 39.

And whereas we are required by the benevolent principles of rational liberty, not only to expel civil tyranny, but also to guard against that spiritual oppression and intolerance,

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wherewith the bigotry and ambition of weak and wicked priests and princes, have scourged mankind: This convention doth further, in the name and by the authority of the good people of this state, ordain, determine, and declare, that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall for ever hereafter be allowed within this state, to all mankind. Provided that the liberty of conscience hereby granted, shall not be so construed, as to excuse acts of licentiousness, 23 or justify practices inconsistent with the peace or safety of this state.

New Jersey Constitution,—July 2. 1776.— Art. 18:

18. That no person shall ever within this colony be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable to the dictates of his own conscience; nor under any pretence whatever be compelled to attend any place of worship, contrary to his own faith and judgment; nor shall any person within this colony ever be obliged to pay tithes, taxes, or any other rates, for the purpose of building or repairing any other church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right, or has deliberately or voluntarily engaged himself to perform.

Penslyvania Declaration of Rights,—Sept. 28, 1776. — Chap. 1. Art. 2.— Chap. 2. Sect. 10.— Sect. 40.

2. That all men have a natural and unalienable right to worship Almighty God, according to the dictates of their own consciences and understandings: And that no man ought, or of right can be compelled to attend any religious worship, or erect or support any place of worship, or maintain any ministry, contrary to, or against, his own free will and content: Nor can any man, who acknowledges the 24 the being of a God, be justly deprived or abridged of any civil right as a citizen, on account of his religious sentiments, or peculiar mode of religious worship: And that no authority can or ought to be vested in or assumed by any

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power whatever, that shall in any case interfere with, or in any manner controul, the right of conscience in the free exercise of religious worship.

Sect. 10. A quorum of the house of representatives shall consist of two thirds of the whole number of members elected; and having met and chosen their speaker, shall each of them, before they proceed to business, take and subscribe, as well the oath or affirmation of fidelity and allegiance herein after directed, as the following oath or affirmation, *viz.*

“I do swear (or affirm) that as a member of this assembly, I will not propose or assent to any bill, vote, or resolution, which shall appear to me injurious to the people; nor do or consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared in the constitution of this state; but will in all things conduct myself as a faithful honest representative and guardian of the people, according to the best of my judgment and abilities.”

And each member before he takes his seat, shall take and subscribe the following declaration, *viz.*

“I do believe in one God, the creator and governor of the universe, the rewarder of the good and the punisher of the wicked. And I do acknowledge 25 ledge the scriptures of the Old and New Testament to be given by divine inspiration.”

And no further or other religious test shall ever hereafter be required of any civil officer or magistrate in this state.

Sect. 40. Every officer, whether judicial, executive, or military, in authority under this commonwealth, shall take the following oath or affirmation of allegiance, and general oath of office, before he enter on the execution of his office.

The Oath or Affirmation of Allegiance.

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"I do swear (or affirm) That I will be true and faithful to the commonwealth of Pennsylvania: And that I will not directly or indirectly do any act or thing prejudicial or injurious to the constitution or government thereof, as established by the convention."

The Oath or Affirmation of Office.

"I do swear (or affirm) That I will faithfully execute the office of for the of and will do equal right and justice to all men to the belt of my judgment and abilities, according to law."

Delaware Declaration of Rights,—Sept. 20, 1776,— Sect. 2. and 3.— Constitution, Art. 22.

2 . That all men have a natural and unalienable right to worship Almighty God according to the E dictates 26 dictates of their own consciences and understandings; and that no man ought, or of right can be compelled to attend any religious worship, or maintain any ministry, contrary to or against his own free will and consent, and that no authority can or ought to be vested in, or assumed by any power whatever, that shall in any case interfere with, or in any manner controul the right of conscience, in the free exercise of religious worship.

3. That all persons professing the Christian religion, ought for ever to enjoy equal rights and privileges in this state, unless under colour of religion, any man disturb the peace, the happiness or safety of society.

22. Every person, who shall be chosen a member of either house, or appointed to any office or place of trust, before taking his seat, or entering upon the execution of his office, shall take the following oath, or affirmation, if conscientiously scrupulous of taking an oath, to wit.

"I, A. B. will bear true allegiance to the Delaware state, submit to its constitution and laws, and do no act wittingly whereby the freedom thereof may be prejudiced."

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And also make and subscribe the following declaration, to wit.

“I, A. B. do profess faith in God the Father, and in Jesus Christ, his only Son, and the Holy Ghost, one God, blessed for evermore; and I do acknowledge 27 acknowledge the holy scriptures of the Old and New Testament to be given by divine inspiration.”

And all officers shall also take an oath of office.

Maryland Declaration of Rights,—Aug. 14, 1776.—Art. 33. 35.— Constitution, Art. 55.

33. That as it is the duty of every man to worship God in such manner as he thinks most acceptable to him, all persons professing the Christian religion are equally entitled to protection in their religious liberty; wherefore no person ought by any law to be molested in his person or estate, on account of his religious persuasion or profession, or for his religious practice, unless under colour of religion, any man shall disturb the good order, peace, or safety of the state, or shall infringe the laws of morality, or injure others in their natural, civil, or religious rights; nor ought any person to be compelled to frequent or maintain, or contribute, unless on contract, to maintain any particular place of worship, or any particular ministry.

34. That every gift, sale, or devise of lands to any minister, public teacher or preacher of the gospel, as such, or to any RELIGIOUS SECT, ORDER, or denomination, or to, or for the support, use, or benefit of, or in trust for, any minister, public teacher, or preacher of the gospel, as such, or any RELIGIOUS SECT, ORDER, or denomination; and every gift or sale of goods or chattles to go in succession, or to take place after the death of the E 2 seller 28 seller or donor, or to or for such support, use or benefit; and also every devise of goods or chattels to, or for the support, use, or benefit of any minister, public teacher, or preacher of the gospel, as such, or any RELIGIOUS SECT, ORDER, or denomination. WITHOUT THE LEAVE OF THE LEGISLATURE, shall be void; except always any sale, gift, lease or devise of any quantity of land not exceeding two acres, for a church, meeting

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or other house of worship, and for a burying ground, which shall be improved, enjoyed, or used only for such purpose, or such sale, gift, lease, or devise, shall be void.

35. That no other test or qualification ought to be required on admission to any office of trust or profit, than such oath of support and fidelity to this state, and such oath of office as shall be directed by this convention, or the legislature of this state, and a declaration of a belief in the Christian religion.

Art. 55. That every person appointed to any office of profit or trust shall, before he enters on the execution thereof, take the following oath, to wit, “I, A. B. do swear, That I do not hold myself bound in allegiance to the king of Great Britain, and that I will be faithful, and bear true allegiance to the state of Maryland,” and shall also subscribe a declaration of his belief in the Christian religion.

Virginia Signed the General Convention,

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North Carolina—Dec. 19. 1776.— Declaration of Rights, Art. 19,— Constitution, Art. 34. 40. 41.

Art. 19. That all men have a natural and unalienable right to worship Almighty God, according to the dictates of their own conscience.

34. That there shall be no establishment of any one religious church or denomination in this state in preference to any order, neither shall any person, on any pretence whatsoever, be compelled to attend any place of worship contrary to his own faith or judgment, nor be obliged to pay for the purchase of any glebe, or the building of any house of worship, or for the maintenance of any minister or ministry, contrary to what he believes right, or has voluntarily and personally engaged to perform; but all persons shall be at liberty to exercise their own mode of worship. *Provided*, That nothing herein contained

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shall be constructed to exempt preachers of treasonable or seditious discourses from legal trial and punishment.

40. That every foreigner who comes to settle in this state, having first taken an oath of allegiance to the same, may purchase, or by other just means acquire, hold, and transfer land, or other real estate; and after one years residence, shall be deemed a free citizen.

41. That a school or schools shall be established by the legislature, for the convenient instruction of youth, 30 youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices; and all useful learning shall be duly encouraged and promoted in one or more universities.

South Carolina Signed the Convention.

Georgia Constitution—Feb. 5. 1777.— Art. 56.

Art. 56. All persons whatever shall have the free exercise of their religion; provided it be not repugnant to the peace and safety of the state; and shall not, unless by consent, support any teacher, or teachers, except those of their own profession. Extracts

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Extracts from the GENERAL CONSTITUTIONAL DECLARATIONS of the THIRTEEN UNITED STATES of America, assembled in Congress, Sept. 17, 1787, and the 12th of their Independence.

Article II.—The President's Oath.

“I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will, to, the best of my ability, preserve, protect and defend the constitution of the United States.”

Article III.—Section 3.

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Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted. *Article*

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Article VI.—Paragraph 3.

The senators and representatives before-mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this constitution: BUT NO RELIGIOUS TEST SHALL EVER BE REQUIRED AS A QUALIFICATION TO ANY OFFICE OR PUBLIC TRUST UNDER THE UNITED STATES.

(Signed) George Washington, President.

William Jackson, Secretary.

And afterwards by all the Delegates from the Thirteen United States of America.

FINIS.

A SHORT ACCOUNT OF THE ESTABLISHMENT OF THE New See of Baltimore in Maryland, AND OF CONSECRATING THE Right Rev. Dr. John Carroll first BISHOP thereof *On the Feast of the Assumption*, 1790. WITH A DISCOURSE DELIVERED ON THAT OCCASION, AND THE AUTHORITY FOR CONSECRATING THE BISHOP, AND ERECTING AND ADMINISTERING THE SAID SEE.

TO WHICH ARE ADDED EXTRACTS from the different BILLS of RIGHT and CONSTITUTION of the UNITED STATES,—That Liberty of Conscience is the Birth-right of every Man, and an Exclusion of any religious Test for ever.

LONDON: Printed by J. P. Coghlan, No. 37, Duke-Street, Grosvenor-Square, 1790.

A SHORT ACCOUNT OF THE ESTABLISHMENT OF THE NEW SEE OF BALTIMORE.

THE Roman Catholic religion was introduced into Maryland, together with the first settlers in the reign of Charles I. who granted that province to the Lord Baltimore a catholic nobleman, as a refuge for persons of his religion from the severity of the penal laws, which that unfortunate monarch wanted either the power or the fortitude to restrain. A number of catholic gentlemen and others emigrated from England and Ireland with the hope of enjoying that repose in the new settlement, which was denied them in their native country. The unrelenting spirit of persecution pursued them over the Atlantic. It deprived them of the just fruits of their labours, it debarred them from every post of trust and profit in the colony which they had settled, it compelled them to maintain Protestant ministers, and finally it enforced against them many of the British penal laws, from the cruelty of which they had fled. R. F. Andrew White an English Jesuit of eminent piety and zeal accompanied the first colonists in 1632, and from that date till the late revolution the American catholics in Maryland and Virginia were constantly served by Jesuit missionaries successively sent from England. About the year 1720 the R. F. Grayton and others introduced catholicity into Pennsylvania, and it has since received a remarkable increase in that province. Since the peace of 1783 and the settlement of the American constitution, penal laws are no longer known, and Catholics enjoy an equal participation of the rights of human nature with their neighbours of every other religious denomination. The very term of *toleration* is exploded, because it imports a power in one predominant sect to indulge that religious liberty to others, which all claim as an inherent right. Catholic clergymen of various orders and nations have resorted to America, and they every where find an ample vineyard to cultivate. In this state of religious freedom the clergymen judged

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it expedient to give stability and dignity to the catholic religion by the establishment of a regular hierarchy, and they therefore petitioned from the Pope the creation of an episcopal See and the appointment of a diocesan Bishop. The Pope applauding their zeal graciously admitted their request, and allowed them to elect their first Bishop. The Rev. Dr. John Carroll who had been for some years the superior of the mission was the object of their choice, and this Gentleman was accordingly appointed first Bishop of Baltimore. Upon the receipt of his Bulls from Rome he immediately repaired to England where his person and merit were well known, and presented himself for consecration to the Right Rev. Dr. Charles Walmesley Bishop of Rama, senior Vicar Apostolical of the catholic religion in this kingdom. By invitation of Thomas Weld Esq. the consecration of the new Bishop was performed during a solemn high Mass in the elegant chapel at Lulworth Castle, on Sunday the 15th day of 4 of August 1790, being the feast of the Assumption of the Blessed Virgin Mary, and the munificence of that gentleman omitted no circumstance which could possibly add dignity to so venerable a ceremony. The two Prelates were attended by their respective assistant priests and acolytes according to the rubric of the Roman Pontifical; the richness of their vestments, the music of the choir, the multitude of wax lights and the ornaments of the altar concurred to increase the splendor of the solemnity, which made a lasting impression upon every beholder. When the whole company was seated, the following short address was delivered to the congregation by one of the assistant Priests.

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A SHORT ADRESS, DELIVERED AUGUST 15, 1790. IN THE CHAPEL OF LULWORTH CASTLE, AT THE CONSECRATION OF THE RIGHT REVEREND Dr. JOHN CARROLL, APPOINTED FIRST BISHOP OF THE NEW ERECTED SEE OF BALTIMORE IN NORTH AMERICA.

OUR blessed Lord and Redeemer having defeated the powers of hell by the triumph of the cross, formed to himself a kingdom on earth which was to consist of the chosen of every nation, because all nations were now become his own by right of conquest. The

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Sun of justice which rose from the East, has in its progress enlightened every region of the globe, and the kingdom of Christ, the church, under the government of his Vicar and of pastors 6 pastors deputed by him, has successively embraced the whole world. Ages succeed ages, empires subvert empires, but the empire of Jesus Christ perseveres ever one and the same, ever persecuted and ever conquering, because all human revolutions are entirely subservient to it, and the formation of the kingdom of Christ is the ultimate object of the whole dispensation of providence in the government of this world. Never perhaps was this truth more sensibly evinced, than in the late violent convulsions, by which the hand of the Almighty has dismembered the great British empire, and has called forth into existence a new empire in the Western world, the destinies of which, we trust, are founded in his tenderest mercies. For although this great event may appear to us to have been the work, the sport of human passions, yet the earliest and most precious fruit of it has been the extension of the kingdom of Christ, the propagation of catholic religion, which heretofore fettered by restraining laws, is now enlarged from bondage and is left at liberty to exert the full energy of divine truth. Already is catholicity extended to the utmost boundaries of the immense continent of America, thousands are there earnestly demanding catholic instructors, and 7 and all penetrated with reverence for the apostolical See of St. Peter have concurred to demand, from his successor a catholic prelate, whose knowledge and whose zeal may establish the faith of Peter upon the ruins of those errors, which the first inhabitants carried forth with them from this country. But if Britain infected them with error, we have the consolation to know that their catholicity is also derived immediately from us; and as we in former ages received the faith of Rome from the great St. Gregory and our apostle St. Austin, so now at the interval of twelve hundred years, our venerable prelate the heir of the virtues and labours of our apostle, will, this day, by commission from the successor of St. Gregory, consecrate the first Father and Bishop of the new church, destined, as we confide, to inherit those benedictions which the first called have ungratefully rejected. Glorious is this day, my brethren, for the church of God which fees new nations crouding into her bosom; glorious for the prelate elect, who goes forth to conquer these nations for Jesus Christ, not by the efforts of human power, but in

the might of those weapons which have ever triumphed in this divine warfare; he is not armed with the strength of this world, but he is 8 is powerful in piety, powerful in zeal, powerful in evangelical poverty and firm reliance on the protection of that God who sends him. Glorious is this event, for his numerous spiritual children, to whom his virtues have long endeared him, comforting it is to us who have been long connected with him by the virtuous ties of education profession and friendship; but in a special manner, my brethren, honourable and comforting is this awful solemnity to his and our common benefactor, the founder of this holy sanctuary, which shall be revered through succeeding ages, even by churches yet un-named, as the privileged, the happy spot, from whence their episcopacy and hierarchy took their immediate rise; and this precious distinction will be justly attributed to the protection and favour of the glorious mother of God, whose house it is* , and through whose patronage all christian churches are founded. On this her greatest solemnity, my brethren, it is your duty to implore the particular assistance of the great Queen of heaven; and while you are edified by the solemn rites with which the Catholic Church consecrates her prelates, you will earnestly solicit the descent

* It is dedicated to the B. V. Mary.

9 descent of the Holy Ghost on the Bishop elect, that like another Austin he may worthily fulfil the extent of the apostleship to which he is called, and when you implore for him the sevenfold grace of the Holy Spirit, you will not fail to demand it through the intercession of her whom you daily salute, "Mother of divine grace."

In full confidence of her protection and blessing upon our ministry, we proceed to the solemnity of the Consecration. C THE

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**THE AUTHORITY OF HIS HOLINESS POPE PIUS VI. FOR CONSTITUTING THE Dew
See of Baltimore in Maryland.**

TRANSLATED FROM THE ORIGINAL.

FOR THE REMEMBRANCE OF POSTERITY.

WHEN from the eminence of our apostolical station, we bend our attention to the different regions of the earth, in order to fulfil to the utmost extent of our power the duty which our Lord has imposed upon our unworthiness of ruling and feeding his flock; our care and solicitude are particularly engaged, that the Faithful of Christ who dispersed through various provinces are united with us by Catholic communion, may be governed by their proper pastors and diligently instructed by them in the discipline of evangelical life and doctrine. For it is our principle, that they who relying on the divine assistance have regulated their lives and manners, agreeably to the 11 the precepts of Christian wisdom, ought so to command their own passions as to promote by the pursuit of justice their own and their neighbour's spiritual advantage; and that they, who have received from their Bishops, and by checking the intemperance of self-wisdom, have steadily adhered to the heavenly doctrine delivered by Christ to the Catholic Church, should not be carried away by every wind of doctrine, but grounded on the authority of divine revelation should reject the new and varying doctrines of men, which endanger the tranquility of government, and rest in the unchangeable faith of the Catholic Church. For in the present degeneracy of corrupt manners into which human nature ever resisting the sweet yoke of Christ is hurried, and in the pride of talents and knowledge which disdains to submit the opinions and dreams of men to the evangelical truth delivered by Jesus Christ, support must be given by that heavenly authority which is entrusted to the Catholic Church as to a steady pillar and solid foundation which shall never fail, that from her voice and instructions mankind may learn the objects of their faith and the rules of their conduct, not only for the obtaining of eternal salvation, but also for the regulation of this life and the C 2 main-12 maintaining of concord in the society of this earthly city. Now this charge of teaching and ruling first given to the apostles and especially to St. Peter the prince of the apostles, on whom alone the church is built, and to whom our Lord and Redeemer entrusted the feeding of his lambs and of his sheep, has been derived in due order of succession to Bishops, and especially to the Roman Pontiffs, successors of St. Peter and heirs of

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his power and dignity, that thereby it might be made evident that the gates of hell can never prevail against the church, and that the divine founder of it will ever assist it to the consummation of ages, so that neither in the depravity of morals nor in the fluctuation of novel opinions the episcopal succession shall ever fail or the bark of Peter be sunk. Wherefore it having reached our ears that in the flourishing commonwealth of the Thirteen American States many faithful Christians united in communion with the chair of Peter, in which the centre of catholic unity is fixed, and governed in their spiritual concerns by their own priests having care of souls, earnestly desire that a Bishop may be appointed over them to exercise the functions of episcopal order, to feed them more largely with the food of salutary doctrine, 13 doctrine, and to guard more carefully that portion of the catholic flock; We willingly embraced this opportunity which the grace of Almighty God has afforded us to provide those distant regions with the comfort and ministry of a Catholic Bishop. And that this be effected more successfully and according to the rules of the sacred canons, We commissioned our Venerable brethren the Cardinals of the holy Roman church, directors of the Congregation *de propaganda fide*, to manage this business with the greatest care, and to make a report to us. It was therefore appointed by their decree, approved by us, and published the twelfth day of July of the last year, that the priests who lawfully exercise the sacred ministry and have care of souls in the united States of America, should be empowered to advise together and to determine, first, in what town the episcopal See ought to be erected, and next who of the aforesaid priests appeared the most worthy and proper to be promoted to this important charge, whom We, for this first time only, and by special grace permitted the laid priests to elect and to present to this apostolical See. In obedience to this decree the aforesaid priors exercising the cure of souls in the United States of America, unanimously 14 unanimously agreed, that a Bishop with ordinary jurisdiction ought to be established in the town of Baltimore, because this town situate in Maryland which province the greater part of the priests and of the faithful inhabit, appeared the most conveniently placed for intercourse with the other States, and because from this province Catholic religion and faith had been propagated into the others. And at the time appointed for the election, they being assembled together,

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the sacrifice of holy Mass being celebrated, and the grace and assistance of the Holy Ghost being implored, the votes of all present were taken, and of twenty six priests who were assembled twenty four gave their votes for our beloved son John Carroll, whom they judged the most proper to support the burden of episcopacy, and sent an authentic instrument of the whole transaction to the aforesaid Congregation of Cardinals. Now all things being maturely weighed and considered in this Congregation, it was easily agreed that the interests and increase of Catholic religion would be greatly promoted, if an episcopal See were erected at Baltimore, and the said John Carroll were appointed the Bishop of it. We therefore, to whom this opinion has been reported by our beloved 15 beloved son Cardinal Antonelli Prefect of the said Congregation, having nothing more at heart than to ensure success to whatever tends to the propagation of true religion and to the honour and increase of the Catholic Church; by the plenitude of our apostolical power, and by the tenour of these present, do establish and erect the aforesaid town of Baltimore into an episcopal See for ever, for one Bishop to be chosen by us in all future vacancies; and We therefore, by the apostolical authority aforesaid, do allow, grant and permit to the Bishop of the said city, and to his successors in all future times, to exercise episcopal power and jurisdiction, and to hold and enjoy all and every right and privilege of order and jurisdiction, and of every other episcopal function, and which Bishops constituted in other places are empowered to hold and enjoy in their respective churches, cities and dioceses, by right, custom or by other means, by general privileges, graces, indulgences and apostolical dispensations, together with all pre-eminencies, honours, immunities, graces and favours, which other Cathedral Churches, by right or custom, or in any other sort, have, hold and enjoy. We moreover decree and declare the said episcopal See thus erected, to be subject or suffragan to no Metropolitan right or jurisdiction, but to be for ever subject immediately to us, and to our successors the Roman pontiffs, and to this apostolical See. And till another opportunity shall be presented to us of establishing other Catholic Bishops in the United States of America, and till other dispositions shall be made by this apostolical See, We declare, by our apostolical authority, all the Faithful of Christ living in Catholic communion, as well ecclesiastics as seculars, and all the clergy and

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people dwelling in the aforesaid United States of America, though hitherto they may have been subject to other Bishops of other dioceses, to be henceforward subject to the Bishop of Baltimore in all future times; and to this Bishop and to his successors we impart power to curb and check, without appeal, all persons who may contradict or oppose their orders, to visit personally or by deputies all Catholic Churches, to remove abuses, to correct the manners of the faithful, and to perform all things which other Bishops in their respective dioceses are accustomed to do and perform, saving in all things our own authority and that of this apostolical See. And, whereas by special grant, and for this first time only, we have allowed the priests exercising the cure of souls in the United States of America, to elect a person to be appointed Bishop by us, and almost all their votes have been given to our beloved son John Carroll Priest; We being otherwise certified of his faith, prudence, piety and zeal, forasmuch as by our mandate he hath during the late years directed the spiritual government of souls, do therefore, by the plenitude of our authority, declare, create, appoint and constitute the said John Carrol Bishop and Pastor of the said church of Baltimore, granting to him the faculty of receiving the rite of consecration from any Catholic Bishop holding communion with the apostolical See, assisted by two Ecclesiastics vested with some dignity, in case that two Bishops cannot be had, first having taken the usual oath according to the Roman Pontifical. And we commission the laid Bishop elect to erect a church in the said city of Baltimore, in form of a Cathedral Church, inasmuch as the times and circumstances may allow, to institute a body of clergy deputed to divine worship and to the service of the said church, and moreover to establish an episcopal seminary either in the same city or elsewhere as he shall judge most expedient, to administer ecclesiastical incomes, and to execute all other things which he shall think in the Lord to be expedient for the increase of Catholic faith and the augmentation of the worship and splendour of the new-erected church. We moreover enjoin the said Bishop to obey the injunctions of our Venerable brethren the Cardinals Directors of the sacred Congregation *de propaganda fide*, to transmit to them at proper times a relation of his visitation of his church, and to inform them of all things which he shall judge to be useful to the spiritual good and salvation of the flock trusted to his charge. We therefore decree that

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there our letters are and ever shall be firm, valid and efficacious, and shall obtain their full and entire effect, and be observed inviolable by all persons whom it now doth or hereafter may concern; and that all Judges ordinary and delegated, even auditors of causes of the sacred apostolical palace, and Cardinals of the holy Roman church must thus judge and define, depriving all and each of them of all power and authority to judge or interpret in any other manner, sad declaring all to be null and void, if any one, 19 one, by any authority, should presume, either knowingly or unknowingly, to attempt any thing contrary thereunto. Notwithstanding all apostolical, general or special constitutions and ordinations, published in universal, provincial and synodical councils, and all things contrary whatsoever.

Given at Rome at St. Mary Major, under the Fisherman's Ring (Seal) the 6th day of November 1789, and in the 15th Year of our Pontificate.

DUPLICATE.

L. S.

R. Card. Braschi Onesti.

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NOTES TO THE FAC-SIMILE REPRINT.

The preceding pages, copied in fac-simile, by photo-lithographic process, for the Historical Club, from a very rare pamphlet secured in England by the Rev. Francis L Hawks, D. D., LL. D., and now in the possession of the Rev. Wm. Stevens Perry, D. D., shew that, in marked contrast with the care taken that, at the Consecration of Seabury, and of White and Provoost, all should be done in accordance with the ancient Canons, the Romish hierarchy in this country began with a most irregular consecration, by *one* Bishop—a Bishop “ *in partibus,* ” and this, as will be seen, authorized by a Papal Bull.

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Pages 20 to 32 of the pamphlet herewith reprinted, are taken up with “Extracts from the different Bills of Right and Constitutions of the Thirteen United States of North America: declaring Liberty of Conscience as the Birth- xxi right of all men. With copies of their Oaths of Allegiance and Trust.”

It seems sufficient here, without reprinting these Extracts in full, to cite their Headings. which are, *verbatim et literatim*, as follows:

New Hampshire Bill of Rights,—Part I. Article 5. Dated at Concord, Oct. 31, 1783.

Massachusetts Constitution, Part I. Article 2. Dated at Cambridge, March 2. 1780.

Rhode Island Charter;—14th Charles II.

Connecticut signed the General Convention, esteeming any particular Declaration unnecessary.

New York Constitution, April 20, 1777.— Articles 38. and 39.

New Jersey Constitution,— July 2, 1776.— Art. 18.

Pensylvania Declaration of Rights,— Sept. 28, 1776.— Chap. 1. Art. 2.— Chap. 2. Sect. 10.—Sect. 40.

Delaware Declaration of Rights,— Sept. 20, 1776— Sect. 2. and 3.— Constitution, Art. 22.

Maryland Declaration of Rights,— Aug. 14. 1776.— Art. 33. 35.— Constitution, Art. 55.

Virginia signed the General Convention.

North Carolina—Dec. 19. 1776.— Declaration of Rights, Art. 19.— Constitution, Art. 34. 40. 41.

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South Carolina signed the Convention.

Georgia Constitution— Feb. 5. 1777.— Art. 56.

Extracts from the General Constitutional Declarations of the Thirteen United States of America, assembled in Congress, September 17, 1787, and the 12th of their Independence.

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It is curious to notice the evident satisfaction these Declarations as to liberty of conscience gave to English and American Romanists in 1790, and then read the *Encyclicals* of Gregory XVI, (August 13, 1832), and of Pius IX, (December 8, 1863), denouncing the “insanity”* of those who declare, that, “Liberty of conscience is the right of every man, and that this right ought in every well governed State to be proclaimed and asserted by the law,”† and the 79th Article of the *Syllabus*, stigmatizing the error of those who deny “That the civil liberty of every mode of worship, and, the full power given to all of overtly and publicly manifesting their opinions, and their ideas, of all kinds whatsoever, conduce more easily to corrupt the morals and minds of the people, and to the propagation of the pest of indifferentism.‡

* “Deliramentum.”

† “Libertatem conscientiae et cultuum, esse proprium cujuscumque hominis jus, quod lege proclamari et asseri debet in omni recte constitutâ societate.”

‡ “Civilem cujusque cultus libertatem, itemque plenam potestatem omnibus attributam quaslibet opiniones cogitationesque palam publiceque manifestandi, conducere ad populorum mores animosque facilius corrumpendas, ac indifferentismi pestem propagandam.”